

ORDINANCE NO. 47-079

06/13/06

AN ORDINANCE AMENDING SECTION 5.68.260 TO
INCLUDE 5.68.260(b)(3) OF THE CODE OF THE CITY OF
WICHITA, KANSAS, PERTAINING TO EXCEPTIONS TO
PUBLIC NUDITY PROHIBITIONS, AND REPEALING THE
ORIGINAL OF SAID SECTION

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 5.68.260 of the Code of the City of Wichita, Kansas shall be amended to read as follows:

Section 5.68.260 Exceptions.

- (a) The provisions of Section 5.68.240(a) of the Code of the City of Wichita shall not apply to any theatrical production that has serious literary, artistic, scientific or political value.
- (b) The provisions of Section 5.68.240(a)(2) of the Code of the City of Wichita shall not apply to:
 - (1) a child under the age of ten years,
 - (2) a person appearing in a state of nudity modeling in an art class operated by:
 - (A) a proprietary school licensed by the state;
 - (B) a college, community college or university supported entirely or primarily by taxation;
 - (C) an accredited private college or university, or
 - (D) a non-profit educational or artistic organization:
 - (i) held within a structure in which no sign or advertising is visible on or from the exterior of the structure that indicates a nude person is available on the premises for viewing;

(ii) where in order to attend a student must enroll at least three days in advance; and

(iii) where no more than one nude model appears in the studio at one time.

(3) A mother breastfeeding her child.

SECTION 2. The original of Section 5.68.260 of the Code of the City of Wichita is hereby repealed.

SECTION 3. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon adoption and publication in the official city newspaper.

PASSED by the governing body of the City of Wichita, Kansas, this July 18, 2006.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett City Clerk

Approved as to Form:

Gary E. Rebenstorf, Director of Law